

**STILLWATER COUNTY PLANNING BOARD
MINUTES OF MEETING**

Wednesday, April 7th, 2021 at 7:00p.m.
Stillwater County Pavilion
328 5th Avenue N., Columbus, MT

BOARD MEMBERS PRESENT: Carolyn Hutson, Dan Sayer, Bob VanOosten, Gary Enstrom, Steve Arnold; Curtis Jacobs, Jerry Edwards and Ray Karls

BOARD MEMBERS NOT PRESENT: Dennis Gerke

STAFF: Forrest Mandeville and Christine Baker

OTHERS: Lana Sangmeister, Charles Sangmeister and Paul Schultz

I. CALL TO ORDER. Ray Karls, President of the board called the meeting to order at 7:00 p.m.

A. Public Comments. Nothing at this time

B. Disclosures of Conflicts of Interest and Ex-Parte Communications. Nothing at this time.

II. MINUTES:

A. Minutes: Gary made a motion to approve the draft minutes from the March 3rd, 2021 County Planning Board Meeting, Jerry seconded; with all in favor, motion passed.

NEW BUSINESS:

A. Tadmor Springs Subdivision. Forrest provided a staff report on Tadmor Springs to the board. Lana Sangmeister, Charles Sangmeister, and Paul Schulze, have submitted a preliminary plat application and materials for the proposed Tadmor Springs Subdivision. The proposed one (1) lot minor subdivision would create a 20.014 acre tract and a remainder in excess of 160 acres. The subdivision is accessed from Stanley Coulee Way, north of Nye, approximately 2.5 miles north of the intersection of Highway 420 (Stillwater River Road) and Highway 419 (Nye Road). The property is legally described as a portion of Tract A, COS 308890, being in a portion of the SE ¼ SW ¼ and Government Lot 4 of Section 19, T 4 S, R 16 E, P.M.M., Stillwater County. Existing development on the property consists of a single-family home, with associated improvements such as a driveway, well, and septic. The remainder tract has a home, barn, and cabin located in close proximity to the proposed subdivision. The property is accessed via Stanley Coulee Way, a private road with access on to

Highway 420 (Stillwater River Road). The road was created by agreement between the owners of tracts shown on COS 216436 and the owner of property through which the easement runs, and a former owner of the subject property. The subdivider reports that the Sibanye-Stillwater Mining Company periodically performs maintenance on the road. The private driveway is accessed off of Stanley Coulee way approximately 1,900 feet from the access from the Stillwater River Road. The subdivision lot is located about another 1000 feet up the private driveway, and the existing home on Lot 1 is located another 1000 feet or more up the hill at the end of the driveway.

Existing well and septic systems serve the subdivision. As no parcels under 20 acres are proposed, the subdivision is not subject to DEQ review and approval. The County Sanitarian has permitting authority for new septic systems. The subdivision is located within the Wildland Urban Interface (WUI) indicating a high fire hazard exists in the area. The access to the subdivision is approximately 4000 feet from the County Road, half of which is the private Stanley Coulee Way, and the other half is a private driveway. The last part of the driveway to the existing home on Lot 1 is narrow and navigates a steep hill. There are areas of steep slopes and heavily forested areas within the subdivision.

The developer had a Fire Risk Assessment performed on the property in June 2020. While overall risk to the home was determined to be low, the report did indicate access risks, poor escape, and lack of an adequate turnaround. The developer has indicated the end of the driveway can be used as a turnaround, and reports another area could work as a turnaround, though is unsurfaced. Forrest concluded his report and recommended to the Planning Board the following recommended Preliminary Plat Conditions of Approval:

1. Final plat shall reference MCA 76-4-102(22) as the exclusion from DEQ review, and state the text of said statute: "Subdivision" means a division of land or land so divided that creates one or more parcels containing less than 20 acres, exclusive of public roadways, in order that the title to or possession of the parcels may be sold, rented, leased, or otherwise conveyed and includes any resubdivision, any condominium, townhome, or townhouse, or any area, regardless of size, that provides permanent multiple space for recreational camping vehicles or mobile homes.
2. The final plat shall contain a statement that legal and physical access is provided to each lot per MCA 76-3-608 (3)(d) and Section II.B.4.p.
3. Utility easements shall be provided and dimensioned as required in Section IV.M. on the final plat.
4. Per Section IV.M.8., the final plat shall show the location of all existing and required utility easements, and must include the following statement: "The undersigned hereby grants unto each and every person, firm or corporation, whether public or private, providing or offering to provide telephone, telegraph, electric, power, gas, cable television, water or sewer service to the public, the right to the joint use of an easement for the construction, maintenance, repair and removal of the lines and other facilities, in, over, under and across each area designated on this plat as "Utility Easement" to have and hold forever."

5. A Subdivision Improvements Agreement shall be prepared as required in the Subdivision Regulations and filed with the plat.
6. An executed Weed Management Plan must be attached to the SIA.
7. The final plat shall be submitted in compliance with Section II.C.
8. Prior to final plat, Stanley Coulee Way shall be improved to meet the minimum standards for a gravel road per Section IV.I, Table IV-3, and Figure IV-3. Improvements shall be certified by a licensed professional engineer.
9. Turnarounds should be constructed at least every 1000 feet along the private driveway between the existing home on Lot 1 and Stanley Coulee Way. Turnarounds should be at least 30-feet in radius and constructed to the gravel road standards in Section IV.I. A licensed professional engineer shall certify the turnarounds have been constructed to the required standards.
10. A No-Build Zone shall be shown on final plat. This zone shall be generally located to include the location of the home and the flatter, less forested area south of the home.
11. There shall be a statement on the final plat indicating that the subdivision is located within a high fire hazard area.

Applicant Lana Sangmeister addressed the Planning Board and responded to the Staff Report. Lana stated that their intent is to obtain a deed for their home and surrounding property separate from the larger parcel. Lana first addressed improving Stanley Coulee Way to meet minimum standards. Lana insisted that Stillwater County Mine has been a great steward of maintaining Stanley Coulee Way and said that there are adequate spaces for emergency vehicle access and turn arounds. Lana stated that she had concerns in being able to meet the road design standards. The Board discussed that requesting a variance from road design standards may be an option, subject to an application for variance being submitted, variance criteria being met, and the necessary review procedures. Charles Sangmeister then addressed the fire hazard, noting that part of the Derby Fire in the area included a prescribed burn and stating their work in maintaining their property to reduce the fire hazard.

Curtis was concerned about the No-Build Zone being a condition of approval and felt the requirement may be too nebulous to enforce. Curtis made a motion to remove the No Build Zone to be shown on the Final Plat, Bob seconded; with all in favor, motion passed. Bob made a motion to recommend approval of Tadmor Springs Preliminary Plat with conditions to the Board of County Commissioners, Curtis seconded; with all in favor, motion carried. (see recording in Planning Office)

III. OLD BUSINESS:

A. Resolution 2021-1. The resolution to establish meeting days and new officers for 2021 of the Stillwater County Planning Board was officially adopted.

B. County Zoning/Development Regulations Update on Status: Forrest provided an update on the County Zoning & Development Regulations. Forrest discussed there was a public hearing held by the County Commissioners and the Commissioners had extended the comment period. Commissioners have not taken any action as of right now and will work through the public comments and then

move forward from there. The County Attorney has also requested separate boards for the County Zoning Commission and County Board of Adjustment. Forrest then explained that if the County Commissioners decide to issue a Resolution of Intent to create the Development Regulations, that would then get noticed in the newspaper for two weeks. The first publication of that notice kicks off another 30-day period which anyone can protest the regulations. After the protest period, the Commissioners have 30 days to make a decision. Forrest stated that the final decision was at least 3 months out.

V. ADJOURN: Ray made a motion to adjourn the meeting at 8:07 p.m., Jerry seconded; motion passed.

The next meeting will be on May 5th, 2021 at 7:00 p.m. at the Pavilion.

Christine Baker, Planning